

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Robert McGee, being first duly sworn, hereby depose and state as follows:

1. That your affiant is a Deportation Officer, U.S. Immigration and Customs Enforcement, United States Department of Homeland Security, and a graduate of the Federal Law Enforcement Training Center (FLETC). I have been employed as a federal officer with Immigration and Customs Enforcement (ICE), for over nineteen years during which time I have conducted numerous investigations relating to administrative and criminal violations of the Immigration & Nationality Act (INA).
2. That the information contained in this affidavit is based on your Affiant's personal participation in this investigation and from information provided to your Affiant by other law enforcement officers. This affidavit is being submitted for the limited purpose of establishing probable cause to support the arrest of Rafael MARTINEZ Reano (hereafter referred to as MARTINEZ) and I have not included each and every fact known to me concerning this investigation and have set forth only those facts that I believe are necessary for said purpose.
3. That on or about June 3, 2025, ICE Officers were contacted by Officers at the Rutherford County Jail in Rutherfordton, North Carolina and advised that MARTINEZ had been arrested on local charges. Subsequently, ICE lodged a detainer with the Rutherford County Jail.
4. That MARTINEZ'S fingerprints were entered into the Integrated Automated Fingerprint Identification System (IAFIS) which is directly connected to the National Crime Information Center (NCIC). The IAFIS system indicated that MARTINEZ had been assigned FBI and State Identification (SID) numbers. The NCIC record and other law enforcement indices revealed that MARTINEZ was previously removed from the United States on several occasions.
5. That your Affiant reviewed an electronic, databased copy of immigration file number A# 205 209 146 relating to MARTINEZ and discovered the following:
 - a. that MARTINEZ's true name is Rafael MARTINEZ Reano;
 - b. that MARTINEZ was born in Oaxaca, Mexico;
 - c. that MARTINEZ is a native of Mexico and a citizen of Mexico;
 - d. that MARTINEZ entered the United States at or near an unknown place on or about an unknown date;
 - e. that on October 22, 2012, MARTINEZ was ordered removed from the United States of America;
 - f. that on October 30, 2012, MARTINEZ was removed from the United States to the country of Mexico;
 - g. that MARTINEZ illegally reentered the United States at or near an unknown place on or about an unknown date;
 - h. that MARTINEZ was served agency form I-871 Notice of Intent/Decision to Reinstate Prior Order on December 29, 2018;

- i. that on December 31, 2018, MARTINEZ was removed from the United States to the country of Mexico;
 - j. that MARTINEZ illegally reentered the United States at or near an unknown place on or about an unknown date;
 - k. that MARTINEZ was served agency form I-871 Notice of Intent/Decision to Reinstate Prior Order on October 17, 2019;
 - l. that on April 21, 2020 MARTINEZ was convicted of 8 U.S.C. § 1326(a) in the District of South Carolina and sentenced to time served;
 - m. that on May 11, 2020, MARTINEZ was removed from the United States to the country of Mexico;
 - n. that MARTINEZ illegally reentered the United States at or near an unknown place on or about an unknown date.
6. That on June 9, 2025, your Affiant conducted automated record checks of immigration indices and was unable to locate a record(s) that MARTINEZ was granted permission by the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to the United States after deportation/removal;
7. That there is probable cause to believe that Rafael MARTINEZ Reano, having been found in the United States on or about June 3, 2025, after in fact being previously arrested and removed from the United States, and having entered the United States without obtaining permission from the Attorney General of the United States or the designated Secretary of the Department of Homeland Security to reapply for admission into the United States, is in the United States in violation of Title 8, United States Code, Section 1326(a) and (b)(1).

Further your affiant sayeth not.

This affidavit was reviewed by AUSA Alexis Solheim.

/S/ Robert McGee
Date: June 25, 2025
Deportation Officer
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 25th day of June, 2025, at 9:06 AM

W. Carleton Metcalf

W. Carleton Metcalf
United States Magistrate Judge

